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3764

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/849,674
		Filing Date	May 7, 2001
		First Named Inventor	Mark W. Ferry
		Group Art Unit	3764
		Examiner Name	J. W. Donnelly
Total Number of Pages in This Submission	5	Attorney Docket Number	

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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Remarks		
Substitute Declaration		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Neal O. Willmann
Signature	
Date	January 10, 2003

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January 10, 2003

Re: Application No. 09/849,674
Filed: May 7, 2001
By: Mark W. Ferry
For: Kick-Boxing Bag

Examiner: J.W. Donnelly
Art Unit: 3764

Sir:

With regard to the Office Action mailed December 24, 2002, please consider the following:

Remarks/Arguments

The Examiner has deemed the Declaration to be defective because it does not identify the mailing or post office address of the inventor. For expediency, applicant's attorney has elected to execute and submit a Substitute Declaration clearly identifying the residence, mailing and post office address of the inventor/applicant, Mark W. Ferry.

Claims 1-6 have been rejected as being unpatentable over the teaching of the Lobur reference in view of figure 3 in the Kuo reference. More specifically, the Examiner espouses the opinion that Lobur discloses an exercise bag comprising an enclosure having a bottom, a removable top, curving sides and a water-tight container suspended from strapped loops.